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September 8, 2003

**VIA HAND DELIVERY**

**RECEIVED**

Marlene H. Dortch, Esq.  
Secretary  
Federal Communications Commission  
445 12th Street, SW, Room 8B201  
Washington, DC 20554

SEP - 8 2003

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Petition of the Connecticut Department of Public Utility  
Control for Authority to Conduct a Voluntary  
Unassigned Number Porting Trial  
CC Docket No. 96-98, NSD File No. L-01-86, DA 01-1210  
**Notice of Written Ex Parte Communication**

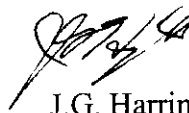
Dear Ms. Dortch:

On this date, on behalf of our client Cox Communications, Inc., I sent the attached letter to William Maher, Chief of the Wireline Competition Bureau, concerning the above-referenced proceeding.

In accordance with the requirements of Section 1.1206 of the Commission's rules, the original and four copies of the letter to Mr. Maher are being submitted to your office on this date, and a copy of this letter is being sent to Mr. Maher.

Please inform me if any questions should arise in connection with this letter.

Sincerely,



J.G. Harrington

Counsel to Cox Communications, Inc.

JGH/vll

Enclosures

cc (w/o encl.): William Maher

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September 8, 2003

William Maher  
Chief, Wireline Competition Bureau  
Federal Communications Commission  
Portals II  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: Petition of the Connecticut Department of Public Utility Control for Authority to  
Conduct a Voluntary Unassigned Number Porting Trial  
CC Docket No 96-98, NSD File No. L-01-86, DA 01-1210  
Written Ex Parte Communication

Dear Mr. Maher:

Cox Communications, Inc. (Cox), by its attorney, submits this ex parte communication in the above-referenced proceeding.<sup>1</sup> This letter is filed in response to the July 17, 2003, filing by the Connecticut Department of Public Utility Control (DPUC) describing the conclusion of its "Modified UNP" trial and to the DPUC's suggestion that the Commission use the DPUC-proposed "UNP guidelines" in the future. For the reasons described below, Cox urges the Commission to set aside the Connecticut trial in assessing UNP and to reject the proposed guidelines since they do not represent UNP, but instead merely represent 10-number block pooling.

By way of background, in May 2001 the FCC granted the DPUC permission to conduct a voluntary trial of Unassigned Number Porting (UNP).<sup>2</sup> As Cox noted in a November 27, 2002 ex parte communication to the Commission, the DPUC did not conduct an actual UNP trial.<sup>3</sup> Instead, the DPUC approved "UNP guidelines" or "Business Rules" for a 10-number block pooling trial clearly different from UNP. Consequently, the fundamental optimization benefits of UNP in returning stranded numbers for use by customers cannot be accomplished through the DPUC's proposed "UNP guidelines."

<sup>1</sup> Cox is the parent company of Cox Connecticut Telecom, L.L.C., which is certificated to provide local telephone service in Connecticut. The filing is made on behalf of Cox, rather than its Connecticut affiliate, because number optimization and, specifically, the issues raised in this letter affect other Cox affiliates that offer facilities-based telephone service nationwide.

<sup>2</sup> UNP is the ability of carriers to obtain numbers for assignment to customers from the unused inventory of other carriers, without the involvement of third party administrators. See *Numbering Resource Optimization, Report and Order and Further Notice of Proposed Rulemaking*, 15 FCC Rcd 7574, 7675-6 (2000).

<sup>3</sup> See Letter of J.G. Harrington, Counsel to Cox, to William Maher, Chief, Wireline Competition Bureau, FCC, CC Docket No. 96-98, NSD File No. L-01-86, DA 01-1210, filed Nov. 27, 2003.

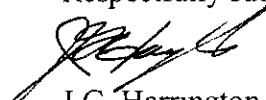
Indeed, as the DPUC's letter indicates, the Connecticut trial never moved to Phase 3 of the DPUC's plan, which encompassed carrier-to-carrier exchanges of numbers in existing inventories, that is, UNP as defined by the FCC. Consequently, any results reported to the Commission are meaningless in assessing the viability or numbering resources optimization benefits of UNP. Cox notes that the industry members participating in conference calls on the Modified UNP Trial refused to proceed to Phase 3 and that the DPUC was reluctant to press for continuation due to the voluntary nature of the trial.

The DPUC's "UNP guidelines" involving 10 block-number pooling do not allow for any evaluation of the consumer benefits of UNP. Those benefits almost certainly include the extension of the lives of area codes that would occur if any unused number became available to any customer, not just those numbers allocated by a third party to a particular carrier. Accordingly, the Commission should reject the proposed "UNP guidelines" of the DPUC and, on a going-forward basis, approve only mandatory trials with firm deadlines and rules to test true UNP. Only in this way can the benefits of number optimization from UNP be demonstrated and evaluated.

In accordance with the requirements of Section 1.1206 of the Commission's rules, an original and one copy of this written ex parte communication are being submitted to the Secretary's office on this date.

Thank you for your attention to this matter

Respectfully submitted,



J.G. Harrington

Counsel to Cox Communications, Inc.

JGH/mwh